

[Report No. 216.]

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1857.

Read twice, and committed to a Committee of the Whole House to morrow.

Mr. BROOM, from the Committee on Revolutionary Pensions,
reported the following bill :

A BILL

To amend the pension laws therein mentioned.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the provisions of the act of June seven, eighteen hundred
4 and thirty-two, and the acts subsequent thereto, be, and the
5 same are hereby, extended so as to embrace all persons who
6 served in the revolutionary war, without regard to the length
7 of service, which shall be estimated according to the principles
8 of said act, which allows full pay for two years' service, half
9 pay for one year's service, and quarter pay for six months'
10 service.

1 **SEC. 2.** *And be it further enacted,* That all widows of
2 officers, soldiers, and persons who served in the war of the

3 Revolution, and who were, or, if living, would have been,
 4 entitled to a pension under this act or any law of the United
 5 States, shall be entitled to a pension of the same amount per
 6 annum which their husbands received, or to which they were
 7 or would by this act have been entitled, for and during their
 8 natural lives, without regard to the time of their marriage, to
 9 commence at the death of their husbands, deducting former
 10 payments; but the pension of any such widow shall not com-
 11 mence previous to the fourth of March, eighteen hundred and
 12 thirty-six.

1 SEC. 3. *And be it further enacted,* That the several acts
 2 granting pensions to widows of officers and soldiers of the
 3 Revolution shall not be so construed as to exclude the surviving
 4 woman who was the wife of any revolutionary officer, soldier,
 5 or person, who was himself entitled to a pension, from receiving
 6 a pension as his widow, notwithstanding she may have been
 7 divorced from her husband in his lifetime, provided he was
 8 the offending party.

1 SEC. 4. *And be it further enacted,* That all widows who
 2 have received or who were entitled to pensions by virtue of
 3 the act of July seventh, eighteen hundred and thirty-eight,
 4 and were living on the fourth day of March, eighteen hundred
 5 and forty-three, also the surviving children of such as may
 6 have survived the fourth day of March, eighteen hundred and
 7 forty-one, and died previous to the fourth day of March,

8 eighteen hundred and forty-three, and all women mentioned in
9 the third section of this act, shall be entitled to arrears of
10 pension from March fourth, eighteen hundred and forty-one,
11 to March fourth, eighteen hundred and forty-three, or up to
12 the period of the decease of any such widow who shall have
13 died as aforesaid.

1 **SEC. 5.** *And be it further enacted,* That if any officer or
2 soldier whose service during the war of the Revolution was
3 such as is specified in the act passed the fifteenth day of May,
4 eighteen hundred and twenty-eight, entitled "An act for the
5 relief of certain surviving officers and soldiers of the army of
6 the Revolution," shall have died since the third day of March,
7 eighteen hundred and twenty-six, and before the date of said
8 act, the amount of pension which would have accrued from
9 said third day of March, eighteen hundred and twenty-six, to
10 the time of his death, and become payable to him by virtue of
11 that act, had he survived the passage thereof, shall be paid to
12 his widow, if alive, and if none, then to his surviving children;
13 provided he had received no pension for that time.

1 **SEC. 6.** *And be it further enacted,* That if any person
2 who served in the war of the Revolution in the manner speci-
3 fied in the act of June seven, eighteen hundred and thirty-two,
4 entitled "An act supplementary to the act for the relief of the
5 surviving officers and soldiers of the Revolution," have died,
6 leaving a widow whose marriage took place before the expira-

7 tion of the last period of his service, and who died after the
8 fourth day of March, eighteen hundred and thirty-one, and
9 previous to the passage of the act of July four, eighteen hun-
10 dred and thirty-six, the amount of pension to which she might
11 have been entitled had she survived the passage of said act,
12 shall be paid to her surviving children, and in case of their
13 death, to their legal representatives, up to the time of the
14 death of said widow.

1 SEC. 7. *And be it further enacted,* That the amount
2 due on invalid pensions, discontinued or withheld from officers
3 and soldiers of the Revolution, under the act of March eighteen,
4 eighteen hundred and eighteen, or May fifteen, eighteen hun-
5 dred and twenty-eight, shall be paid, and the Secretary of the
6 Interior is hereby directed to pay said invalids, if living; if
7 not living, then to their widows; and if no widows, to the sur-
8 viving children and their legal representatives, the same as if
9 said invalid pensions had not been discontinued, deducted or
10 withheld.

1 SEC. 8. *And be it further enacted,* That the act of
2 February three, eighteen hundred and fifty-three, entitled "An
3 act to continue half-pay to certain widows and orphans," be,
4 and the same is hereby, amended so as to include the widows
5 of all officers, non-commissioned officers, mariners, marines,
6 engineers, firemen, and coal-heavers, in the navy of the United
7 States, and they shall receive the same benefits as are provided

8 for officers and soldiers of the army : *Provided*, the service,
9 death, or disability of their husbands was such as to bring them
10 within the provisions of any of the laws of Congress.

1- SEC. 9. *And be it further enacted*, That the second
2 marriage of a widow who was entitled to a pension or bounty
3 lands in virtue of any law of the United States, shall not pre-
4 vent her from receiving such lands or pension, provided, she
5 be otherwise entitled to the same, and any pension withheld
6 from such widow, shall be paid to her or her children ;
7 nor shall it be necessary that she be a widow at the time of
8 her application.

1 SEC. 10. *And be it further enacted*, That the widow,
2 and in case of her death, the surviving children of those pen-
3 sioners, or those who were entitled to pensions under the act
4 of March eighteen, eighteen hundred and eighteen, who were
5 dropped from the pension roll under the act of May first,
6 eighteen hundred and twenty, or who received no pension
7 under either act, shall be entitled to receive the pensions due
8 their ancestors, from the time they were so dropped, or were
9 so entitled, until they were restored to the pension roll, or
10 until the period of their death, deducting what may have been
11 received by them as a pension during that time, allowing them
12 the benefit of the laws under which any such pension may
13 have been received by them.

1 SEC. 11. *And be it further enacted*, That the benefits

2 of existing pension laws shall be, and the same are hereby, ex-
3 tended to the widow of any person who has died, or hereafter
4 may die, in the military or naval service of the United States,
5 while in the line of his duty, without requiring proof that
6 the disease of which he died was contracted in the service.

1 SEC. 12. *And be it further enacted*, That in case of
2 the death, before or after the passage of this act, of any person
3 mentioned therein, or who, if living, would have been entitled
4 to the benefit of this act, or who was or may have been entitled
5 to a pension by virtue of any law of the United States, and
6 who has not received such pension, the amount to which such
7 woman or person was, or may have been entitled, or would
8 have been entitled under this act, at the time of his or her
9 death, shall be paid to his or her surviving children; and in
10 case of their death, before or subsequent to the passage of this
11 act to his or her lineal descendants.

1 SEC. 13. *And be it further enacted*, That any widow may
2 make her declaration before a justice of the peace, the declara-
3 tion and papers to be duly authenticated.

1 SEC. 14. *And be it further enacted*, This act is not to be
2 so construed as to give to any widow a double pension, or two
3 pensions, but one continuous pension from the fourth of March,
4 eighteen hundred and thirty-six, (deducting former pay-
5 ments,) agreeable to the several sections and provisions of this
6 act.